

United States District Court  
for  
Middle District of Tennessee

Report on Offender Under Supervision

Name of Offender: Frederick Owens

Case Number: 3:11-00039-01

Name of Sentencing Judicial Officer: Honorable R. Leon Jordan, U.S. District Judge (Eastern District of Tennessee); Jurisdiction accepted by the Honorable William J. Haynes, Jr., on February 11, 2011.

Date of Original Sentence: August 19, 1999

Original Offense: Count 1: 21USC Sec. 841(a)(1): Possession with Intent to Distribute Cocaine; Count 2: 18 USC 922 (g)(1): Felon in Possession of a Firearm.

Original Sentence: 160 months' imprisonment and 3 years' supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: December 30, 2010

Assistant U.S. Attorney: to be assigned

Defense Attorney: to be assigned

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THE COURT ORDERS:

No Action *as recommended - JAG*  
 Submit a Petition for Summons  
 Submit a Petition for Warrant  
 Other

Considered this 28<sup>th</sup> day of  
August, 2013, and made a part of the records  
in the above case.

*WJH*  
\_\_\_\_\_  
Honorable William J. Haynes, Jr.

Chief U. S. District Judge

I declare under penalty of perjury that  
the foregoing is true and correct.  
Respectfully submitted,

*Lisa A. Capps*  
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Lisa A. Capps  
Sr. U.S. Probation Officer

Place: Columbia, Tennessee

Date: August 26, 2013

## **ALLEGED VIOLATIONS**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No.   Nature of Noncompliance

1.   **The defendant shall not commit another federal, state, or local crime:**

On February 21, 2013, the offender was cited by the Metropolitan Nashville Police Department, Nashville, Tennessee, for Driving on a Suspended License. Mr. Owens pled guilty on April 23, 2013, and was ordered to pay a fine and court costs. He also received a 6 month jail sentence, suspended, if no new arrests.

2.   **The defendant shall not commit another federal, state, or local crime:**

On March 16, 2013, the offender was arrested by the Metropolitan Nashville Police Department, Nashville, Tennessee, and charged with Driving on a Suspended License. Mr. Owens pled guilty on April 23, 2013, and was ordered to pay a fine and court costs. He also received a 6 month jail sentence, suspended, if no new arrests.

3.   **The defendant shall participate in a program of drug testing and substance abuse counseling:**

On May 29, 2013, and June 26, 2013, Mr. Owens failed to report for random urine screens. In each instance, he reported the following day. Mr. Owens also missed substance abuse counseling sessions on January 23, 2013 (cancelled), and again on May 22, 2013. Regarding the counseling session on May 22, 2013, Mr. Owens left a voice message stating he did not have transportation to get to counseling that day.

**Compliance with Supervision Conditions and Prior Interventions:**

Frederick Owens is a resident of Davidson County, Tennessee, and has been under the federal supervision of the U.S. Probation Office since December 30, 2010. He is currently employed with Prime Time Auto, Madison, Tennessee, and lives with his girlfriend in Antioch, Tennessee. The probation officer completes frequent surprise home visits at the offender's residence.

A 12A was filed on April 11, 2012, informing the Court that the offender had tested positive for cocaine. No action was requested at that time. Your Honor signed said petition on April 11, 2012, ordering no action as requested. The offender was placed in the U.S. Probation drug testing program in March 2012. He was also referred to substance abuse treatment at Centerstone, in Madison, TN.

A second 12A was filed on July 2, 2012, informing the Court that Mr. Owens had tested positive for marijuana. No action was requested at that time. Your Honor signed said petition on July 11, 2012, ordering no action as requested. As a result of this relapse, the offender remained in an intensive drug treatment and testing program.

U.S. Probation Officer Carrier issued a verbal reprimand to Mr. Owens for violating his conditions of supervised release by using illegal drugs. Mr. Owens' conditions were reviewed with him, and specifically, he was instructed not to possess or use illegal substances. Mr. Owens was continued in weekly drug treatment at Centerstone, in Madison, Tennessee. Mr. Owens had no further positive urine screens and was reduced to Phase 2 of the Code-a-Phone program in September 2012. Because he appeared to be making progress in drug treatment, group counseling was reduced to Phase 3 in December 2012.

On January 17, 2013, a third 12A petition was filed, notifying the Court that Mr. Owen had been cited for Driving on a Suspended License and had submitted a urine screen that tested positive for cocaine. No action was requested at that time. Your Honor signed said petition on January 22, 2013, ordering no action as requested. A verbal reprimand was given to Mr. Owens regarding driving on a suspended license and his substance abuse counseling was increased as a result of the positive drug screen. The offender's term of supervision is scheduled to expire on December 29, 2013.

As to the most recent violations, this officer has discussed with Mr. Owens that he continues to drive knowing the consequences and reprimanded him. Mr. Owens advised that his reinstatement fees are at least \$800.00 and he does not earn enough money monthly to pay for it and still have money left for monthly expenses. This officer has discussed the Slow Pay program through Davidson County, and he indicated he was not eligible for that program. Regarding the missed urine screens, Mr. Owens was excused by this officer on June 26, 2013, as he was in Oak Ridge, Tennessee, for a child support hearing.

**U.S. Probation Officer Recommendation:**

At this time, the probation officer is requesting that no additional action be taken by the Court as the driving offenses were handled in Davidson County General Sessions Court and an appropriate sentence was imposed. It is further recommended Mr. Owens be continued on supervised release and undergo increased monitoring by the probation officer. Any additional violations will be reported to the Court in a timely manner.

The U. S. Attorney's Office has been advised of the offender's noncompliance.

Approved: \_\_\_\_\_

W. Burton Putman  
Supervisory U.S. Probation Officer

